

Notice of Allowability

Application No.

10/646,310

Examiner

Christopher Verdier

Applicant(s)

KOVALSKY ET AL.

Art Unit

3745

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Applicant's RCE and Amendment filed July 19, 2006.
2. ☒ The allowed claim(s) is/are 1-14 and 22-35.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with David Wisz, Attorney of Record, on September 11, 2006.

The application has been amended as follows:

In the Specification:

In paragraph 10, last line, after “.”, the following has been inserted:

-- The braided sleeve defines a race-track shaped elongated cross-sectional profile, an elliptical-shaped elongated cross-sectional profile, or an airfoil-shaped elongated cross-sectional profile. --

In the Claims:

In claim 5, line 2, “hollow composite article” has been changed to -- composite rotor blade spar --.

In claim 7, line 3, “hollow composite article” has been changed to -- composite rotor blade spar --.

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Claim 8 has been amended as follows:

-- 8. (Currently amended) The assembly as recited in claim 7, further comprising a separate composite sheet interwoven with said multiple of braided bias angled fibers and said multiple of zero degree fibers, said composite sheet located ~~adjacent at least one of~~ between said upper and lower aerodynamic surfaces. --

In claim 9, line 3, "A" has been changed to -- a --.

Claim 25 has been amended as follows:

-- 25. (Currently amended) A rotor blade assembly, comprising:
a composite rotor blade spar including a multiple of braided bias angled fibers and a multiple of zero degree fibers interwoven with said multiple of braided bias angled fibers which form a braided sleeve which surrounds a longitudinal axis, said multiple of braided bias angled fibers oriented non-parallel to said longitudinal axis, said multiple of zero degree fibers substantially parallel to said longitudinal axis;
an upper skin which ~~at least partially surrounds said spar to define~~ defines an upper aerodynamic surface; and
a lower skin which ~~at least partially surrounds said spar to define~~ defines a lower aerodynamic surface. --

Claim 26 has been amended as follows:

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-- 26. (Currently amended) The assembly as recited in claim 25, wherein said zero degree fibers are positioned adjacent an upper surface and a lower surface of said spar and a separate composite sheet is interwoven with said multiple of braided bias angled fibers and said multiple of zero degree fibers ~~adjacent at least one of~~ between said upper and lower aerodynamic surfaces. --

In claim 28, line 2, "interconnect" has been changed to -- interconnects --.

In claim 30, line 1, "hollow composite article" has been changed to -- assembly --.

In claim 31, line 1, "hollow composite article" has been changed to -- assembly --.

The above change to the specification has been made to provide antecedent basis for the limitations in claims 32-34, which are shown in the drawings but not stated in the specification. The above changes to claims 5, 7, 9, 28, and 30-31 have been made to correct informalities. The above changes to claims 8, 25, and 26 have been made to remove new matter from the claims.

Reasons for Allowance

The following is an examiner's statement of reasons for allowance: Applicant's arguments (see Applicant's Remarks dated July 19, 2006, the paragraph bridging pages 8-9) that neither Graff 5,222,297 nor Violette 2002/0008177 disclose that the zero degree fibers are interwoven with the multiple of braided bias angled fibers have been considered and are persuasive.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher Verdier whose telephone number is (571) 272-4824. The examiner can normally be reached on Monday-Friday from 10:00-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward K. Look can be reached on (571) 272-4820. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

C.V.
September 11, 2006


Christopher Verdier
Primary Examiner
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